



General
Services
Administration Office

Information Security
Oversight
Office

Washington, DC 20405

February 7, 1983

Honorable Elizabeth H. Dole
Secretary of Transportation
Washington, DC 20590

Dear Madam Secretary:

Executive Order 12356 (the "Order"), signed by the President on April 2, 1982, prescribes a uniform system for classifying, declassifying and safeguarding national security information. Section 5.2 of the Order provides that the Information Security Oversight Office (ISOO) shall be responsible to the President for monitoring its government-wide implementation. Among the specific tools of the ISOO Director are the authorities to conduct on-site program reviews of those agencies that create or handle national security information and to mandate the declassification of information that the Director determines should not be classified under the Order. Determinations under this latter authority, which ISOO invokes rarely, may be appealed by the head of the classifying agency to the National Security Council.

On January 11, 1983, during a routine liaison meeting between ISOO's Harold Mason and Department of Transportation (DOT) security officials, a DOT representative presented Mr. Mason with a newly-prepared United States Coast Guard classification guide entitled "Commandant Instruction 5510." A classification guide is an instruction issued by an authorized original classifier prescribing classification levels and durations for specified categories of information. Because of his concern with the categories of information to be classified, Mr. Mason brought the Coast Guard guide to the attention of ISOO Deputy Director Robert Wells and me. We shared his concern and requested a meeting with responsible DOT officials to discuss the guide.

On January 19, 1983, we met with Karen Lee, DOT Deputy Assistant Secretary for Administration, Rear Admiral N. C. Venzke, USCG, and members of their respective staffs. At the meeting the Coast Guard representatives explained its need to protect the information in question, and argued that it met the requirements for classification under the Order. I concurred on the need to protect the information, but stated that the information, from its description in the guide, was not national security information, i.e., "information, the unauthorized disclosure of which could reasonably be expected to cause damage to our national defense or foreign relations." The essence of our disagreement is ISOO's contention that wholly law enforcement information, even that which pertains to international drug trafficking, is not national security information under the Order.

Before reaching a final determination, however, we arranged an opportunity to review examples of the types of information to be classified under the guide. On January 24, 1983, Messrs. Wells and Mason and I examined